

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION

ROBERT K. HILL, DONALD BLYTHER,  
SANDY BLYTHER, KEITH CLARK, SAMUEL  
COPELAND, B.T. ERVE, PERCY EVANS, GEORGE  
FLAKES, SCOTT GOOLSBY, SHEILA KELLY,  
PAUL LEONARD, FRED SMITH, DEWAYNE TOLLIER,  
ULYSSES WILEY, and WARFLOYD WINTERS,  
Individually and on behalf of themselves, and  
on Behalf of a Class of Persons Similarly Situated

PLAINTIFFS

V.

CAUSE NO.: 3:14CV213-SA-SAA

HILL BROTHERS CONSTRUCTION COMPANY, INC.,  
HBC BOARD OF DIRECTORS, KENNETH W. HILL,  
KENNETH W. HILL, JR., GERALD C. HILL, JIMMY HILL,  
JOHN F. HILL, JR., STERLING AKER, DANNY MCALISTER,  
CLYDE R. ROBERTSON, DONALD BATES, JANE H. CHILDS,  
BETH LOCKHART, MARK ROBERTSON, DOUG HORTON,  
DAVID HORTON, and THE HILL BROTHERS CONSTRUCTION  
COMPANY, INC. EMPLOYEE STOCK OWNERSHIP AND 401(K)  
PLAN AND TRUST PLAN ADMINISTRATIVE COMMITTEE

DEFENDANTS

ORDER ON MOTIONS

Clyde R. Robertson's Partial Motion To Dismiss [98] is GRANTED, and Kenneth W.  
Hill, Jr.'s Motion to Dismiss [103] is GRANTED IN PART and DENIED IN PART.

SO ORDERED, this the 28th day of March, 2016.

/s/ Sharion Aycock  
U.S. DISTRICT JUDGE